

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

VARTA MICROBATTERY GMBH

*Plaintiff(s)*

v.

COSTCO WHOLESALE CORPORATION

*Defendant(s)*

Civil Action No. 2:20-cv-00051

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Costco Wholesale Corporation  
CT Corporation System, its registered agent  
1999 Bryan Street, Suite 900  
Dallas, Texas 75201-3136

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Andrew W. Stinson  
Ramey & Flock, P.C.  
100 E. Ferguson Street, Suite 404  
Tyler, Texas 75702

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 2/25/20



CLERK OF COURT

*David A. O'Toole*

*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:20-cv-00051-JRG

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* COSTCO WHOLESALE CORPORATION  
 was received by me on *(date)* 02/25/2020 .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☒ Other *(specify)*: I delivered a true copy of the Summons\*, and Complaint to COSTCO WHOLESALE CORPORATION by delivery to its Registered Agent, Terri Thongsavat of CT Corporation System at 1999 Bryan Street, STE 900, Dallas, TX 75201 on February 27, 2020 at 9:56 a.m.,++

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 03/04/2020



*Server's signature*

Michael J. Collins Process Server PSC-359, expires 07/31/2020

*Printed name and title*

110 N College Ave #1002  
 Tyler, TX 75702

*Server's address*

Additional information regarding attempted service, etc:

\*with the date of delivery endorsed thereon

++by Certified Mail, return-receipt requested.

PS Form 3811 and USPS tracking information are attached


Certified Mail Number 9414 7266 9904 2156 6540 93

Exhibit A; Exhibit B; and Exhibit C were attached

Add a tracking number

Showing: All

**9414726699042158654093****Delivered:**DALLAS, TX 75201 on February  
27, 2020 at 9:56 am

Return Receipt (Form 3811) Barcode		COMPLETE THIS SECTION ON DELIVERY	
 9590 9266 9904 2158 6540 96		A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
		B. Received by (Printed Name) <u>Terri Thongsavat</u> C. Date of Delivery <u>FEB 27 2020</u>	
1. Article Addressed to: COSTSO WHOLESALE CORPORATION C/o CT Corporation System, Registered Agent 1999 Bryan Street, STE 900 Dallas, TX 75201		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery	
2. Certified Mail (Form 3800) Article Number 9414 7266 9904 2158 6540 93		Reference Information A Stinson	

PS Form 3811, Facsimile, July 2015 Domestic Return Receipt

